

# House Watch

A summary of today's House actions;  
published daily when the House is in session.



4/30/08

## MESSAGES FROM THE SENATE

### [HB 4433](#)

(Bieda)

The bills (HB 5433-5437) would make several amendments to the Tax Tribunal Act (1973 PA 186, MCL 205.701 et seq.) with the aim of improving the efficiency, accessibility, and effectiveness of the Michigan Tax Tribunal (MTT), an administrative court within the Department of Labor and Economic Growth that hears disputes in property and non-property tax matters. Currently there is a backlog of more than 10,500 appeals pending before the tribunal, with an additional 8,000 appeals filed annually. This backlog of cases lengthens the time to process appeals, and increases the costs imposed both on taxpayers and on the state and local units to challenge or defend a tax assessment. House Bill 4433 would allow for mediation of disputes.

- The House concurred in the Senate substitute S-1 [RC 328: 106 yes, 1 no]

### [HB 4436](#)

(Melton)

The bills (HB 5433-5437) would make several amendments to the Tax Tribunal Act (1973 PA 186, MCL 205.701 et seq.) with the aim of improving the efficiency, accessibility, and effectiveness of the Michigan Tax Tribunal (MTT), an administrative court within the Department of Labor and Economic Growth that hears disputes in property and non-property tax matters. Currently there is a backlog of more than 10,500 appeals pending before the tribunal, with an additional 8,000 appeals filed annually. This backlog of cases lengthens the time to process appeals, and increases the costs imposed both on taxpayers and on the state and local units to challenge or defend a tax assessment. House Bill 4436 would expand the scope of hearings that may be heard before the small claims division.

- The House concurred in the Senate substitute S-2 [RC 329: 107 yes, 0 no]

# FINAL PASSAGE

## HB 5893

(Tobocman)

The bill would amend the Michigan Business Tax Act to provide a reduction in the tax base for "qualified affordable housing projects." This refers to a project that is a limited dividend housing association meeting specified criteria. The State Housing Development Authority Act governs these associations which, generally speaking, provide housing and related recreational and community facilities for persons of low and moderate income.

- Committee substitute H-2 was adopted
- HB 5893 advanced to 3<sup>rd</sup> Reading
- HB 5893 was passed [RC 330: 107 yes, 0 no]
- IE was ordered

## HB 4657

(Tobocman)

The bills (HB 4657 and HB 4658) would create an advisory committee, and expand ways to use the Housing and Community Development Fund, including funding for projects in downtown areas and adjacent neighborhoods, foreclosure prevention and assistance, assistance with individual development accounts, activities related to combating homelessness, technical assistance to certain entities, and predatory lending prevention and relief. House Bill 4657 (H-1) would repeal the Michigan Housing and Community Development Fund Act (MCL 125.2821 to 125.2829).

- Committee substitute H-1 was adopted
- HB 4657 advanced to 3<sup>rd</sup> Reading
- HB 4657 was passed [RC 331: 107 yes, 0 no]
- IE was ordered

## HB 4658

(Tobocman)

The bills (HB 4657 and HB 4658) would create an advisory committee, and expand ways to use the Housing and Community Development Fund, including funding for projects in downtown areas and adjacent neighborhoods, foreclosure prevention and assistance, assistance with individual development accounts, activities related to combating homelessness, technical assistance to certain entities, and predatory lending prevention and relief. House Bill 4658 (H-4) would amend the State Housing and Community Development Authority Act of 1966 (MCL 125.1422 et al.) to expand ways to use the Housing and Community Development Fund, including funding for projects in downtown areas and adjacent neighborhoods, foreclosure prevention and assistance, assistance with individual development accounts, activities related to combating homelessness, technical assistance to certain entities, and predatory lending prevention and relief. The bill would also create an advisory committee and make other general amendments related to the Housing and Community Development Fund.

- Committee substitute H-4 was not adopted
- Tobocman substitute H-5 adopted
- HB 4658 advanced to 3<sup>rd</sup> Reading
- HB 4658 was passed [RC 332: 107 yes, 0 no]
- IE was ordered

## **HB 5952**

**(Bauer)**

The bill would modify the protocols that local study committees and government officials must follow, in order to designate an historic district in a county, city, village, or township. Among other things, it provides timeframes during which the preliminary report (containing the photographic inventory) must be filed, the public hearing set, and the final report transmitted to the State Historic Preservation Office of the Michigan Historical Center.

- Committee substitute H-1 was not adopted
- Bauer substitute H-3 was adopted
- HB 5952 advanced to 3<sup>rd</sup> Reading
- HB 5952 was passed [RC 333: 107 yes, 0 no]
- IE was ordered

## **HB 5008**

**(Huizenga)**

House Bill 5008 would create the Uniform Securities Act (2002). It would repeal the existing Uniform Securities Act, Public Act 265 of 1964. The new act would take effect 180 days after enactment. House Bills 5009-5020 and 5022-5024 would each amend a separate act to update references to make them apply to the new Uniform Securities Act. The administrator of the act would be the Office of Financial and Insurance Regulation (OFIR) within the Department of Labor and Economic Growth.

- Committee substitute H-2 was adopted
- HB 5008 advanced to 3<sup>rd</sup> Reading
- HB 5008 was passed [RC 334: 106 yes, 0 no]
- IE was ordered

## **HB 5009**

**(Coulouris)**

House Bill 5009 would amend the Michigan Strategic Fund Act (MCL 125.2023), which exempts the fund's bonds and notes from filing requirements in the state securities law.

- HB 5009 advanced to 3<sup>rd</sup> Reading
- HB 5009 was passed [RC 335: 107 yes, 0 no]

**HB 5010****(Griffin)**

House Bill 5010 would amend the Michigan Consumer Protection Act

- HB 5010 advanced to 3<sup>rd</sup> Reading
- HB 5010 was passed [RC 336: 108 yes, 0 no]
- IE was ordered

**HB 5011****(Simpson)**

House Bill 5011 would amend Public Act 227 of 1971 (MCL 445.111), which deals with home solicitation sales.

- HB 5011 advanced to 3<sup>rd</sup> Reading
- HB 5011 was passed [RC 337: 108 yes, 0 no]
- IE was ordered

**HB 5012****(Clemente)**

House Bill 5012 would amend the Public Employee Retirement System Investment Act (MCL 38.1133), under which investment fiduciaries have to be registered under state securities law.

- HB 5012 advanced to 3<sup>rd</sup> Reading
- HB 5012 was passed [RC 338: 108 yes, 0 no]
- IE was ordered

**HB 5013****(Meekhof)**

House Bill 5013 would amend the Nonprofit Corporation Act (MCL 450.3137) to address cooperative nonvoting investment certificates and bonds.

**HB 5014****(Palsrok)**

House Bill 5014 would amend the Michigan Penal Code (MCL 750.159g and 411j) to include certain violations of the securities law in the definition of "racketeering."

- HB 5014 advanced to 3<sup>rd</sup> Reading
- HB 5014 was passed [RC 339: 108 yes, 0 no]
- IE was ordered

**HB 5015****(Schuitmaker)**

House Bill 5015 would amend the Revised Judicature Act of 1961 (600.4701) to amend the definition of "crime" to update the securities act reference.

- Committee substitute H-1 was adopted

- HB 5015 advanced to 3<sup>rd</sup> Reading
- HB 5015 was passed [RC 340: 107 yes, 0 no]
- IE was ordered

#### **HB 5016** (Calley)

House Bill 5016 would amend the Savings and Loan Act of 1980 (MCL 491.515) to update the definition of "securities."

- HB 5016 advanced to 3<sup>rd</sup> Reading
- HB 5016 was passed [RC 341: 107 yes, 0 no]
- IE was ordered

#### **HB 5017** (Hildenbrand)

House Bill 5017 would amend the Michigan Education Trust Act (MCL 390.1439), which exempts advance tuition payment contracts from the Uniform Securities Act.

- HB 5017 advanced to 3<sup>rd</sup> Reading
- HB 5017 was passed [RC 342: 107 yes, 0 no]
- IE was ordered

#### **HB 5018** (Meisner)

House Bill 5018 would amend the Code of Criminal Procedure (MCL 777.14j) to put the new felony created by the Uniform Securities Act (2002) in the sentencing guidelines as a Class E felony violating the public trust and carrying a 10-year maximum imprisonment penalty. Current felonies (also carrying 10-year maximum prison terms) under the existing securities law would be deleted.

- HB 5018 advanced to 3<sup>rd</sup> Reading
- HB 5018 was passed [RC 343: 106 yes, 0 no]
- IE was ordered

#### **HB 5019** (Tobocman)

House Bill 5019 would amend the Michigan Export Development Act (MCL 447.160).

- HB 5019 advanced to 3<sup>rd</sup> Reading
- HB 5019 was passed [RC 344: 107 yes, 0 no]
- IE was ordered

#### **HB 5020** (Johnson)

House Bill 5020 would amend the Mortgage Brokers, Lenders, and Servicers Licensing Act (MCL 445.1651a and 1679).

- Committee substitute H-1 adopted
- HB 5020 advanced to 3<sup>rd</sup> Reading
- HB 5020 was passed [RC 345: 107 yes, 0 no]
- IE was ordered

**HB 5022**                      **(Robert Jones)**

House Bill 5022 would amend the Credit Services Protection Act (MCL 445.1822).

- HB 5022 advanced to 3<sup>rd</sup> Reading
- HB 5022 was passed [RC 346: 107 yes, 0 no]
- IE was ordered

**HB 5023**                      **(Accavitti)**

House Bill 5023 would amend the Professional Service Corporation Act (MCL 450.228).

- HB 5023 advanced to 3<sup>rd</sup> Reading
- HB 5023 was passed [RC 347: 106 yes, 0 no]
- IE was ordered

**HB 5024**                      **(Sheltrown)**

House Bill 5024 would amend the Natural Resources and Environmental Protection Act (MCL 324.21528 and 50510), which exempts certain bonds and notes from having to be filed under the state securities law.

- HB 5024 advanced to 3<sup>rd</sup> Reading
- HB 5024 was passed [RC 348: 107 yes, 0 no]
- IE was ordered

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**HB 5903**                      **(Johnson)**

The bill would create the Refund Anticipation Loan Act. The bill would require certain actions on the part of a RAL facilitator when facilitating a refund anticipation loan.

- Committee substitute H-1 adopted
- HB 5903 advanced to 3<sup>rd</sup> Reading
- HB 5903 was passed [RC 349: 102 yes, 5 no]
- IE was ordered

**HB 5574****(Miller)**

The bill would amend Part 138 of Article 12 of the Public Health Code (MCL 333.13805 et.al.), entitled Medical Waste, to regulate medical waste generated at the scene of a trauma. The bill would include "trauma scene waste" in the definition of "medical waste," define other terms, extend provisions of the code that relate to a facility that produces medical waste so as to include a trauma scene waste management practitioner, require registration to remove medical waste at a trauma scene and a permit to transport that waste, and subject violators to administrative fines.

- Committee substitute H-1 was not adopted
- Miller substitute H-2 adopted
- HB 5574 advanced to 3<sup>rd</sup> Reading
- HB 5574 was passed [RC 350: 56 yes, 52 no]
- IE was not granted [RC 351: 58 yes, 50 no]

**HB 5575****(Miller)**

The bill would make numerous revisions to Part 138 of Article 12 of the Public Health Code, entitled Medical Waste.

- Committee substitute H-1 not adopted
- Miller substitute H-2 was adopted
- HB 5575 advanced to 3<sup>rd</sup> Reading
- HB 5575 was passed [RC 352: 61 yes, 47 no]

**SB 108****(Basham)**

The bill would amend the Metropolitan Extension Telecommunications Rights-of Way Oversight (METRO) Act, MCL 484.3101 *et seq.*, to allow additional municipalities to opt to receive funds under the METRO Act.

- SB 108 advanced to 3<sup>rd</sup> Reading
- SB 108 was passed [RC 353: 108 yes, 0 no]
- IE was ordered